

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

4 EMILIANO MARTINEZ, ) NO. CV-11-3108-JPH  
5 )  
6 Plaintiff, ) **ORDER ADOPTING REPORT  
7 AND RECOMMENDATION**  
8 vs. )  
9 )  
10 CAROLYN W. COLVIN<sup>1</sup>, Acting )  
Commissioner of Social )  
Security, )  
11 )  
12 Defendant. )

**BEFORE THE COURT** is the Report and Recommendation, ECF No. 34, to **grant** plaintiff's motion for summary judgment, ECF No. 25, and **reverse** and **remand for calculation of benefits**. No objections have been filed.

Having reviewed the Report and Recommendation and the files and records herein, the Court adopts the magistrate judge's report and recommendation in its entirety.

**IT IS ORDERED:**

The recommendation, **ECF No. 34**, to grant plaintiff's motion for summary judgment, ECF No. 25, and REVERSE and REMAND for calculation of benefits is **ADOPTED in its entirety**.

**IT IS SO ORDERED.** The District Court Executive is directed to enter this Order, enter judgment for Plaintiff, forward copies to

<sup>1</sup>Carolyn W. Colvin became the Acting Commissioner of Social Security on February 14, 2012. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Carolyn W. Colvin is substituted for Michael J. Astrue as the defendant in this suit. No further action need be taken to continue this suit by reason of 42 U.S.C. § 405(q).

1 the parties and Magistrate Judge Hutton, and close the file.

2 DATED this 19th day of March, 2013.

3 *s/ Rosanna Malouf Peterson*

4 ROSANNA MALOUF PETERSON  
5 Chief United States District Judge

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28